Translation

PCT/JP2003/009248

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference FMJ-103	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2003/009248	International filing date (*day/month/year*) 22 July 2003 (22.07.2003)	Priority date (*day/month/year*) 26 August 2002 (26.08.2002)
International Patent Classification (IPC) or national classification and IPC B32B 27/32		
Applicant MITSUBISHI PLASTICS, INC.		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☐ *(sent to the applicant and to the International Bureau)* a total of _____ sheets, as follows:

☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ *(sent to the International Bureau only)* a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

☒	Box No. I	Basis of the report
☐	Box No. II	Priority
☐	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
☐	Box No. IV	Lack of unity of invention
☒	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
☐	Box No. VI	Certain documents cited
☐	Box No. VII	Certain defects in the international application
☐	Box No. VIII	Certain observations on the international application

Date of submission of the demand 12 March 2004 (12.03.2004)	Date of completion of this report 30 September 2004 (30.09.2004)
Name and mailing address of the IPEA/JP Facsimile No.	Authorized officer Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/JP2003/009248

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:

☐ international search (under Rules 12.3 and 23.1(b))

☐ publication of the international application (under Rule 12.4)

☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☒ The international application as originally filed/furnished

☐ the description:

pages _____, as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ the claims:

pages _____, as originally filed/furnished

pages* _____, as amended (together with any statement) under Article 19

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ the drawings:

pages _____, as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing *(specify)*: _____

☐ any table(s) related to sequence listing *(specify)*: _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing *(specify)*: _____

☐ any table(s) related to sequence listing *(specify)*: _____

* *If item 4 applies, some or all of those sheets may be marked "superseded."*

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International application No.
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Box No. V **Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	1-6	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-6	NO
Industrial applicability (IA)	Claims	1-6	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Document 1: JP, 2002-47383, A (Idemitsu Petrochemical Co., Ltd.), 12 February, 2002 (12.02.02)
Document 2: JP, 9-154479, A (Mitsubishi Plastics, Inc.), 17 June, 1997 (17.06.97)
Document 3: JP, 2000-44696, A (Mitsubishi Plastics, Inc.), 15 February, 2000 (15.02.00)
Document 4: JP, 2000-44695, A (Mitsubishi Plastics, Inc.), 15 February, 2000 (15.02.00)
Document 5: JP, 11-115122, A (Sumitomo Chemical Co., Ltd.), 27 April, 1999 (27.04.99)
Document 6: JP, 2000-272059, A (Tokuyama Corp.), 3 October, 2000 (03.10.00)
Document 7: JP, 2001-138453, A (Okamoto Industries, Inc.), 22 May, 2001 (22.05.01)
Document 8: JP, 2002-225206, A (C.I. Sanplus Corp.), 14 August, 2002 (14.08.02)
Document 9: JP, 2000-289158, A (Sekisui Chemical Co., Ltd.), 17 October, 2000 (17.10.00)
Document 10: JP, 2000-52510, A (Sumitomo Chemical Co., Ltd.), 22 February, 2000 (22.02.00)
Document 11: JP, 2000-281723, A (Idemitsu Petrochemical Co., Ltd.), 10 October, 2000 (10.10.00)

The subject matters of claims 1-6 do not appear to involve an inventive step in view of documents 1-9 cited in the ISR.

As described in documents 2-9, a laminated film for stretch packing, in which both the surface layers are formed of EVA while the intermediate layer is formed of a polypropylene-based resin composition containing, for example, a petroleum resin is well known. Furthermore, documents 5-9 also describe that the intermediate layer is formed of a composition obtained by combining an amorphous polyolefin and a crystalline polypropylene-based polymer.

The said documents do not describe a constitution in which the intermediate layer is formed of a composition containing a polypropylene-based resin with specific stereoregularity.

However, document 1 describes that (1) a resin composition consisting of 1 to 99 wt% of a polypropylene-based resin corresponding to the ingredient (B) of the present invention and 99 to 1 wt% of an olefin-based polymer is used to produce a wrapping film, (2) a propylene-based polymer such as polypropylene or propylene-α-olefin copolymer is preferred as the olefin-based polymer, (3) a multi-layer film including the said resin composition layer is obtained, and (4) the obtained film is excellent in wrapping property, transparency, recovery from deformation, etc. So, a person skilled in the art could have easily applied the composition of document 1 to the polypropylene-based resin composition intermediate layer of a well-known stretch film.

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of:V.2

As a result, it is estimated that the storage elastic modulus and loss tangent of the obtained film fall in the ranges specified in claim 6.